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Memorial of the Shawnee chiefs and council in relation to the lands in the Black Bob Reservation in Kansas, and asking the repeal of the 14th section of the act of July 15, 1870, making appropriations for sundry civil expenses of the government for the year ending June 30, 1871

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MEMORIAL  
OF  
THE SHAWNEE CHIEFS AND COUNCIL

IN RELATION TO

*The lands in the Black Bob reservation in Kansas, and asking the repeal of the 14th section of the act of July 15, 1870, making appropriations for sundry civil expenses of the Government for the year ending June 30, 1871.*

FEBRUARY 16, 1874.—Referred to the Committee on Indian Affairs and ordered to be printed, to accompany bill S. 490.

*To the President of the Senate, Washington, D. C.:*

SIR: We, the undersigned, chiefs and councilmen of the Shawnee Indians, late of Kansas, deem it our duty to again call the attention of the Department of the Interior to the condition of certain members of the late Shawnee tribe, who, on account of the passage of section fourteen of an act entitled "An act making appropriations for sundry civil expenses of the Government for the year ending June 30, 1871, approved July 15, 1870," are unable to sell their lands.

These Shawnees, on account of their loyalty to the Government, secured the ill-will and enmity of the bushwhackers, who frequently made raids over the Shawnee reservations into Kansas, during the late rebellion; and early during the rebellion they robbed the Black Bob Shawnees of all their horses and other property which could be used in camp, and burned up their houses, and the Black Bob Shawnees were compelled to seek shelter among their more fortunate brethren.

After the war was over, and it was safe to return, these Black Bob Shawnees found themselves too poor to build houses or make other improvements, by which they could support themselves upon their lands; besides, they found a large portion of their lands occupied by white settlers, and if they had possessed the means, they did not desire to put themselves in a position where they would incur an angry contest with a white settlement, consequently they were compelled to continue the mode of life they had practiced during the war.

To relieve themselves of this dependent condition, they decided to make selections of head-rights, as provided in the fourth article of the treaty of the 10th of May, 1854.

A very large proportion of said Indians made selections, and over one hundred and thirty patents were issued in accordance with the act of Congress of March 3, 1859, but owing to the passage of said section fourteen, heretofore referred to, the sales of said lands were suspended, and they, being left destitute, were compelled to find their way as best they could into the Indian country, where many of them are to-day,

scattered among the different tribes, eking out a miserable existence, while too poor to occupy and improve the land purchased for them by the common funds of the tribe.

For the white soldier, who owed allegiance, the Government has most generously provided with increased pay and bounty, and when disabled, granted him a pension; gave pension also to the widow and children of the deceased soldier.

The Shawnees, who owed no allegiance to the Government, which required them to take up arms in its defense, furnished more soldiers, in proportion to the census of the tribe, than any State in the Union; and many of them, on account of their loyalty, were despoiled of all their goods, driven from their homes, which were burned, and the greater portion of their lands being appropriated by white settlers. For more than ten long years have the Black Bob Shawnees been compelled in a great measure to live upon the meager charities of their poor friends, while driven by necessity from place to place, until their sufferings through poverty have brought more than half of their number to the grave.

Congress (through the influence and instigation of men who, in *open violation of law*, have been for the last ten years *trespassing* upon the lands of this tribe) fails ever to grant justice to these homeless, poverty-stricken Indians.

Notwithstanding the Government had entered into the most solemn obligations to protect them in their personal and their property rights, and had assumed to be their guardian and special protector, it has, by the passage of said 14th section, *virtually driven* these poor Shawnees from their homes to starve among strangers, and given their lands in possession to the lawless trespassers thereon.

We have been unable to comprehend the reason for this act of injustice, unless it shall be found in the fact that the white trespasser alone, and not the poor Indian, has the disposal of the *ballot*.

We would therefore most respectfully make this our last appeal in behalf of the Black Bob Shawnees, and ask that the Department urge upon Congress an early repeal of said 14th section, and thus enable said Shawnees to sell their lands and apply the proceeds to the construction of homes and the procurement of the necessities and comforts of life, of which they have so long been deprived.

If this cannot be accomplished, then in the name of common humanity let us have "further action of Congress in relation thereto," mentioned in said section, as shall settle this case at once and forever; for if they are to be deprived of all they rightfully own to satisfy the cravings of a few lawless men and *their* representative, our people wish to be relieved of a suspense which alone is too grievous to be borne.

For a more explicit statement and history of the case, we refer the Department to Ex. Doc. No. 130, Forty-first Congress, third session.

Cherokee Nation, December, 1873.

CHARLES TUCKER, 1st chief.  
LEVI FLINT, 2d chief.

Witness:

DUDLEY TUCKER,	}	Councilmen.
JOSEPH FLINT, his x mark.		
JONATHAN BLACKFEATHER, his x mark.		
DAVID BLACKFEATHER, his x mark.		